

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

RODNEY DEMETRIUS JOHNSON,)
)
Plaintiff,)
) Civil Action No.
v.) 4:13-cv-00053-WTM-GRS
)
COCA COLA BOTTLING CO. UNITED)
EAST, LLC and DEIRDRE HICKS,)
)
Defendants.)

DEFENDANT COCA-COLA BOTTLING COMPANY UNITED, INC.'S
MOTION TO DISMISS

Defendant Coca-Cola Bottling Company United, Inc. ("CCBCU") (improperly named in the Complaint as "Coca Cola Bottling Co. United East, LLC") hereby moves to dismiss all of Plaintiff's claims against CCBCU pursuant to Fed. R. Civ. P. 12(b)(6) and other applicable law, for failure to state a claim upon which relief may be granted. For the reasons set forth in the accompanying Memorandum of Law, CCBCU respectfully requests that the Court dismiss Plaintiff's Complaint against CCBCU in its entirety.

Respectfully submitted this 24th day of April, 2013.

By: /s/ Clare H. Draper, IV

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HICKS

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CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2013, I electronically filed the foregoing DEFENDANT COCA-COLA BOTTLING COMPANY UNITED, INC.'S MOTION TO DISMISS with the Clerk of the Court using the CM/ECF system and I hereby certify that this document has been sent via U.S. Mail to the following non-CM/ECF participant, addressed as follows:

Rodney Demetrius Johnson
1134 Kelly Drive Lot 37A
Hinesville, Georgia 31313

/s/ Clare H. Draper, IV
Clare H. Draper, IV